IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21490 of 2004

Between:

1. Pathakam Setty Govinda Rao, S/o. Venkataramana,
R/o. 7-168, Appalanarasimham Colony, Vepagunta,

Visakhapatnam-47.

2. Raparthy Vasundara,

W/o.Kailasanath Dharmalingeswara Rao,

Age 37 years, R/o.8-58, Naidu Thota,

Vepagunta, Visakhapatnam-47.

3. Dogga Lakshmi,

W/o. Satyanarayana, Aged about 35 years,

R/o.7-168, Appalanaraismham Colony,

Vepaguna, Visakhapatnam District.

4. Thyada Aruna Kumari

W/o. Maheswara Rao, Aged 25 years,

R/o.7-168, Appalanaraismham Colony,

Vepaguna, Visakhapatnam District.

5. Manthri Suryakantham,

W/o. Sanjiva Rao, Age 50 years, R/o. VUDA Apts.,

Naidu Thota, Vepagunta, Visakhapatnam-47.

6. P.Jyothi, W/o. P.S.K.P.Satyanarayana

Age 37 years, Naidu Thota, Vepagunta,

Visakhapatnam-47.

7. S.Padma, S/o. S.China Kondaiah,

Age 37 years, Naidu Thota, Vepagunta,

Visakhapatnam-47.

8 K.Venkata Lakshmi, W/o.Kanakaraju,

age 40 years, C/o G.Appalaraju,

Goutam Nagar, Vepagunta, Visakhapatnam.

9. Gaduraju Appalanarasimha, W/o.late Appalaraju, age:60 years,

C/o.G.Appalaraju, R/o.Gowthamnagar, Vepagunta, Visakhapatnam-47

….. PETITIONER(S)

AND

1. The District Collector, Visakhapatnam
2. The Mandal Revenue Officer, Pendurty Mandal, Visakhapatnam District.
3. The Secretary, Vepagunta gram Panchayat, , Vepagunta, Visakhapatnam-47

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order, direction particularly one in the nature of a writ of Mandamus declaring the action of the respondents in not considering the request of the Petitioners for regularization of land in Sy.No.110 of Vepagunta Village of Pendurthi Mandal, Visakhapatnam District as per the G.O.Ms.No.515 dated 19-4-2003 as illegal, arbitrary and untenable and consequently direct them to consider our case and issue Land Possession Certificate.

Counsel for the Petitioner: MR.P.SRI RAGHU RAM

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

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ORAL ORDER:

The petitioners have filed this writ petition seeking a Mandamus to declare the action of the respondents in not considering the petitioners' representation for regularizing certain extent of land of 100 to 120 sq. yards situated at Vepagunta village of Pendurthi Mandal, Visakhapatnam District.

The petitioners 1 to 3 claim to be the owners and possessors of the land of an extent of 250 sq. yards in S.No.110 of Vepugunta. According to them, they have purchased the said land from their vendors, but later, they came to know that the land they claim to have purchased belonged to the Government. Therefore, they made an

application, dated 10.7.2003 to the 3rd respondent for regularization of the land in accordance with law following the guidelines issued in G.O.Ms.No.515, dated 19.4.2003. It seems that the 2nd respondent submitted a report to the 1st respondent for consideration, but no action has been taken on the report. It is not in dispute that the assignment of land is required to be made in pursuance of the guidelines framed under G.O.Ms.No.515, dated 19.4.2003 and appropriate decision has to be taken by the 1st respondent before whom the petitioners' representation is pending.

Having regard to the facts and circumstances of the case, I am of the considered view that a direction can be given to the 1st respondent to take appropriate decision in pursuance of the representation, dated 10.7.2003 made by the petitioners, in accordance with law along with the report submitted by the 2nd respondent, within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is disposed of in terms of the above direction. There shall be no order as to costs.

(K.C.BHANU, J.)

24th November, 2004.

To

1. The District Collector, Visakhapatnam
2. The Mandal Revenue Officer, Pendurty Mandal, Visakhapatnam District.
3. The Secretary, Vepagunta Gram Panchayat, Vepagunta, Visakhapatnam-47
4. Two CCs to G.P for Revenue, High Court Buildings,

Hyderabad(OUT)

5. Two CD copies.

Note: Copy to be furnished by Monday

B/o

bcj